

**IN THE UNITED DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

## **MOTION TO WITHDRAW**

**COMES NOW**, Maury S. Weiner of Wiggins, Childs, Quinn & Pantazis, LLC, and moves the Court for permission to withdraw Kell A. Simon as counsel for Plaintiff in this case. As grounds for this Motion, movant states as follows:

1. Kell A. Simon is no longer working for Wiggins, Childs, Quinn & Pantazis, LLC, effective June 30, 2006.
2. Jon C. Goldfarb and Maury S. Weiner are already counsel of record for the Plaintiff in this case, and will continue to represent Plaintiff. No party will be prejudiced in any way by the withdrawal of Kell A. Simon as counsel for Plaintiff.

Respectfully submitted,

s/Maury S. Weiner

Jon C. Goldfarb

Maury S. Weiner

Counsel for Plaintiff

**OF COUNSEL:**

WIGGINS, CHILDS, QUINN & PANTAZIS, LLC  
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Birmingham, Alabama 35203  
Telephone No.: (205) 314-0500  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following (or by U.S. Mail to the non-CM-ECF participants) this 18th day of August, 2006:

Gregory H. Andrews  
Isham R. Jones, III  
Kerry Lin Davidson  
Attorneys for Defendants  
Andrews Koehler & Passarelli, P.C.  
4343 Commerce Court, Suite 615  
Lisle, Illinois 60532

this the 18<sup>th</sup> day of August, 2006.

s/Maury S. Weiner

OF COUNSEL